

Nationwide Claim # 00370171



EXHIBIT

1

COMMONWEALTH of VIRGINIA

POST OFFICE BOX 2452

Secretary of the Commonwealth

RICHMOND, VIRGINIA 23218-2452

NOTICE OF SERVICE OF PROCESS

Early Trucking Company aka Early Trucking Company, Inc.
Registered Agent: Bryan Willis
4483 Cherry Street NE
Arlington, GA 39813

8/21/2019

Dawn Forbes

vs.

Early Trucking Company aka Early Trucking Company, Inc.
Registered Agent: Bryan Willis

Complaint


Dear Sir/Madam:

You are being served with the enclosed notice under section 8.01-329 of the Code of Virginia which designates the Secretary of the Commonwealth as statutory agent for Service of Process.

If you have any questions about the matter, PLEASE contact the CLERK of the enclosed/below mentioned court or any attorney of your choice. Our office does not accept payments on behalf of debts. The Secretary of the Commonwealth's ONLY responsibility is to mail the enclosed papers to you.

COURT:

Suffolk Circuit Court
PO Box 1604
Mills E. Godwin, Jr. Courts Building
Suffolk, VA 23439-1604


Service of Process Clerk
Secretary of the Commonwealth's
Office

AFFIDAVIT FOR SERVICE OF PROCESS ON THE SECRETARY OF THE COMMONWEALTH

Commonwealth of Virginia VA. CODE §§ 8.01-301, -310, -329; 55-218.1; 57-51

Case No. CL19-848

Suffolk

Circuit Court

Dawn Forbes

v. Early Trucking Company aka Early Trucking Comapny, Inc.

Registered Agent, Bryan Willis

4483 Cherry St. NE, Arlington, GA 39813

TO THE PERSON PREPARING THIS AFFIDAVIT: You must comply with the appropriate requirements listed on the back of this form.

Attachments: ☐ Summons and Complaint☐ Notice☒ Complaint

I, the undersigned Affiant, state under oath that

[x] the above-named defendant ☐ whose last known address is ☒ same as above ☐

- [x] is a non-resident of the Commonwealth of Virginia or a foreign corporation and Virginia Code § 8.01-328.1(A) applies (see NON-RESIDENCE GROUNDS REQUIREMENT on page 2).
- ☐ is a person whom the party seeking service, after exercising due diligence, has been unable to locate (see DUE DILIGENCE REQUIREMENT ON BACK)

is the hearing date and time on the attached process or notice (if applicable).

07/09/2019

DATE

☐ PARTY ☒ PARTY'S ATTORNEY ☐ PARTY'S AGENT ☐ PARTY'S REGULAR AND BONA FIDE EMPLOYEE

State of Virginia City of Norfolk

Acknowledged, subscribed and sworn to before me this day by Laurence K. Land

PRINT NAME OF SIGNATORY

7/9/19

DATE

☐ CLERK ☐ MAGISTRATE ☒ NOTARY PUBLIC

Notary Registration No. 324137

My commission expires: 3/31/2020

☐ Verification by the clerk of court of the date of filing of the certificate of compliance is requested. A self-addressed stamped envelope was provided to the clerk at the time of filing this Affidavit.

NOTICE TO THE RECIPIENT from the Office of the Secretary of the Commonwealth of Virginia:

You are being served with this notice and attached pleadings under Section 8.01-329 of the Code of Virginia which designates the Secretary of the Commonwealth as statutory agent for Service of Process. The Secretary of the Commonwealth's ONLY responsibility is to mail, by certified mail, return receipt requested, the enclosed papers to you. If you have any questions concerning these documents, you may wish to seek advice from a lawyer.

SERVICE OF PROCESS IS EFFECTIVE ON THE DATE WHEN SERVICE IS MADE ON THE SECRETARY OF THE COMMONWEALTH.

CERTIFICATE OF COMPLIANCE

I, the undersigned, Clerk in the Office of the Secretary of the Commonwealth, hereby certify the following:

- On AUG 16 2019, legal service in the above-styled case was made upon the Secretary of the Commonwealth, as statutory agent for persons to be served in accordance with Section 8.01-329 of the Code of Virginia, as amended.
- On AUG 22 2019, papers described in the Affidavit and a copy of this Affidavit were forwarded by certified mail, return receipt requested, to the party designated to be served with process in the Affidavit.

SERVICE OF PROCESS CLERK, DESIGNATED
BY THE AUTHORITY OF THE SECRETARY OF THE COMMONWEALTH

COMMONWEALTH OF VIRGINIA



SUFFOLK CIRCUIT COURT

Civil Division
150 N. MAIN STREET
SUFFOLK VA
(757) 514-7800

Summons

To: SECRETARY OF THE COMMONWEALTH
SERVE: EARLY TRUCKING COMPANY
SERVICE OF PROCESS DEPARTMENT
POST OFFICE BOX 2452
RICHMOND VA 23218-2452

Case No. 800CL19000848-00

The party upon whom this summons and the attached complaint are served is hereby notified that unless within 21 days after such service, response is made by filing in the clerk's office of this court a pleading in writing, in proper legal form, the allegations and charges may be taken as admitted and the court may enter an order, judgment, or decree against such party either by default or after hearing evidence.

Appearance in person is not required by this summons.

Done in the name of the Commonwealth of Virginia on, Tuesday, July 16, 2019

Clerk of Court: W. R. CARTER JR.

by

A handwritten signature in cursive script, appearing to read "Belinda Epps", written over a horizontal line.

(CLERK/DEPUTY CLERK)

Instructions:

Hearing Official:

Attorney's name: LAND, LAWRENCE K
(757) 625-1911

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF SUFFOLK

DAWN FORBES,

Plaintiff,

V.

LAW NO.

DEMAND FOR TRIAL BY JURY

TRACY PARKER

and

EARLY TRUCKING COMPANY

aka

EARLY TRUCKING COMPANY, INC.

and

JOHN DOE

Defendants.

FILED THIS

16 **DAY OF**
April, 2019 **TIME**
CITY OF SUFFOLK CIRCUIT COURT, VIRGINIA
TESTE: W. RANDOLPH CARTER JR., CLERK
BY: [Signature], D.C.

COMPLAINT

NOW COMES the undersigned Plaintiff, DAWN FORBES, by counsel, and moves this Court for entry for a judgment against Defendants, TRACY PARKER, EARLY TRUCKING COMPANY aka EARLY TRUCKING COMPANY, INC., and JOHN DOE, in the amount of SEVENTY FOUR THOUSAND DOLLARS (\$74,000.00), plus all costs and interest as permitted by law, and as grounds for such sets forth as follows:

COUNT I

1. That on or about the 21st day of September, 2015, the plaintiff was operating her vehicle upon the streets of the City of Franklin, Virginia. Dawn Forbes was severely injured when the defendant, TRACY PARKER, operating a motor vehicle owned by defendant, EARLY TRUCKING COMPANY aka EARLY TRUCKING COMPANY, INC. (hereinafter referred to as "EARLY") did negligently operate his motor vehicles in such a manner as to cause a collision.

2. That the collision occurred because of the careless, negligent and reckless operation of the vehicles by the defendant, TRACY PARKER, and, as a result of the defendants' negligence, the plaintiff was caused to be severely injured.

3. That at all times herein the defendant, TRACY PARKER, was an agent, servant and employee of the defendant, EARLY, and at the time of this accident was operating his vehicle within the course and scope of his employment with EARLY.

4. That as a direct and proximate result of the negligence of the defendants, as aforesaid, plaintiff has suffered and will in the future continue to suffer great physical pain and mental anguish; she has incurred and will continue to incur hospital and medical expenses in an attempt to cure herself of her injuries; she has sustained lost wages and has suffered a lessening of earning capacity; she has sustained property damage; she has suffered and will in the future continue to suffer inconvenience and be hindered in the performance of her lawful affairs; and her injuries are permanent.

5. That all of the injuries complained of above are the direct and proximate result of the negligence of the defendants at the place and time aforesaid, without fault on the part of the plaintiff.

COUNT II

6. Plaintiff incorporates by reference paragraphs 1-5 above as if fully set forth herein.

7. That the plaintiff was severely injured when the defendant, JOHN DOE, did negligently operate his motor vehicles in such a manner as to cause a

collision.

8. That at all times herein the defendant, JOHN DOE, was an agent, servant and employee of the defendant, EARLY, and at the time of this accident was operating his vehicle within the course and scope of his employment with EARLY.

9. That the collision occurred because of the careless, negligent and reckless operation of the vehicle by the defendant, JOHN DOE, and, as a result of the defendant's negligence, the plaintiff was caused to be severely injured.

10. That as a direct and proximate result of the negligence of the defendant, as aforesaid, plaintiff has suffered and will in the future continue to suffer great physical pain and mental anguish; she has incurred and will continue to incur hospital and medical expenses in an attempt to cure herself of her injuries; she has sustained lost wages and has suffered a lessening of earning capacity; she has sustained property damage; she has suffered and will in the future continue to suffer inconvenience and be hindered in the performance of her lawful affairs; and her injuries are permanent.

11. That all of the injuries complained of above are the direct and proximate result of the negligence of the defendants at the place and time aforesaid, without fault on the part of the plaintiff.

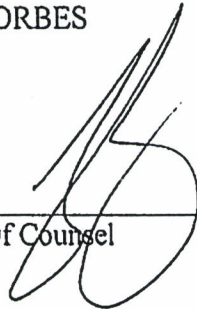
WHEREFORE, the plaintiff prays for a judgment and an award of execution against the defendant in the amount of SEVENTY FOUR THOUSAND DOLLARS (\$74,000.00), plus prejudgment interest from September 21, 2015, post judgment interest and her costs in this cause expended.

TRIAL BY JURY IS DEMANDED.

DAWN FORBES

By

Of Counsel

A handwritten signature in black ink, appearing to be 'DF', is written over a horizontal line. The signature is stylized with a large, looped 'D' and a sharp 'F'.

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